

## Message Text

CONFIDENTIAL

PAGE 01 COLOMB 04141 140300Z  
ACTION NEA-10

INFO OCT-01 ISO-00 ONY-00 /011 W  
-----130236 140335Z /12-R  
P 131230Z SEP 78  
FM AMEMBASSY COLOMBO  
TO SECSTATE WASHDC PRIORITY 1336

C O N F I D E N T I A L COLOMBO 4141

E.O. 11652: GDS  
TAGS: SHUM,CE  
SUBJECT: HUMAN RIGHTS PRACTICES IN SRI LANKA

REF: STATE 229936

1. WE HAVE NO MAJOR PROBLEMS WITH DRAFT OF HUMAN RIGHTS  
REPORT ON SRI LANKA. THE FOLLOWING SUGGESTIONS WE BELIEVE  
ADD TO THE CONSISTENCY AND ACCURACY OF THE REPORT.

2. SUGGESTED CHANGES TO DRAFT TEXT:

A. PREAMBLE: SINCE WE REFER TO CRIMINAL JUSTICE  
COMMISSION ACT AND CIVIC DISABILITIES ACT AS POSSIBLE  
INFRINGEMENTS ON HUMAN RIGHTS, WE SUGGEST NOT SAYING  
"UNBROKEN COMMITMENT TO CIVIL, POLITICAL, AND ECONOMIC  
EDD HUMAN RIGHTS," SUBSTITUTING "LONG", "STEADY", OR  
"ENVIABLE" COMMITMENT.

B. PARA 1. B. CRUEL, INHUMAN, OR DEGRADING TREATMENT  
OR PUNISHMENT: THERE ARE OCCASIONAL CHARGES OF POLICE  
BRUTALITY AND DEGRADING TREATMENT, SUCH AS DURING THE  
AUGUST 1977 COMMUNAL RIOTS.SUGGEST, THEREFORE, THAT WE  
SAY "SUCH PUNISHMENT IS NOT CONDONED IN SRI LANKA"  
RATHER THAN SAY IT IS NOT IMPOSED.

C. PARA 3.A. FREEDOM OF THOUGHT, SPEECH, PRESS,  
RELIGION, AND ASSEMBLY: WITH THE EXCEPTION OF THE LAW  
PROSCRIBING THE LIBERATION TIGERS, WE HAVE NO EVIDENCE OF  
DIRECT CENSORSHIP OF THE NEWS MEDIA. NEVERTHELESS, THE  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 COLOMB 04141 140300Z

GOVERNMENT INFLUENCES THE NEWS TO A LARGE DEGREE THROUGH  
ITS CONTROL OF PART OF THE MEDIA AND THROUGH ITS ABILITY  
TO GRANT NEWSPRINT QUOTAS, TO PURCHASE ADVERTISING, AND TO  
ALLOW THE USE OF PUBLIC TRANSPORT FOR OUT-STATION DELIVERIES.  
WE SUGGEST THE FOLLOWING LANGUAGE AFTER THE STATEMENT  
ON RELIGION. "THE GOVERNMENT HAS OPERATIONAL CONTROL OF  
TWO OF TH FOUR MAJOR NEWSPAPER GROUPS AND OWNS THE

SRI LANKA BROADCASTING COMPANY. CLOSE POLITICAL ALLIES OF THE PRESIDENT ADMINISTER THEM AND SET EDITORIAL POLICY. PUBLICATIONS CARRY ON AN ACTIVE DISCUSSION OF LOCAL AND INTERNATIONAL AFFAIRS AND THE SRI LANKA BROADCASTING CORPORATION PERMITS THE EXPRESSION OF DIFFERING VIEWPOINTS. ALTHOUGH THERE IS NO DIRECT CENSORSHIP OTHER THAN THAT NOTED BELOW, INDEPENDENT NEWSPAPERS, WHILE THEY DO CRITICIZE THE GOVERNMENT, INEVITABLY FEEL SUBTLE PRESSURES AND ARE CONSTRAINED FROM CRITICIZING AS FREELY AS THEY MIGHT. IN MAY 1978 THE GOVERNMENT PASSED A LAW PROSCRIBING THE TAMIL LIBERATION TIGERS AND ALLOWING THE GOVERNMENT TO CENSOR PRESS COVERAGE OF PROSCRIBED ORGANIZATIONS. THE LAW, VALID FOR ONE YEAR, IS INTENDED TO GIVE THE GOVERNMENT CONTROL OVER MEDIA COVERAGE THAT MIGHT INFLAME COMMUNAL PASSIONS. THE NATIONAL STATE ASSEMBLY ALSO PASSED A PARLIAMENTARY POWERS AND PRIVILEGES ACT WITH PROVISIONS FOR DISCIPLINING JOURNALISTS JUDGED BY THE NATIONAL STATE ASSEMBLY GUILTY OF IMPUGNING THE VERACITY OR DIGNITY OF MEMBERS OF PARLIAMENT." THE FUNDAMENTAL RIGHTS STATEMENT IS FINE AS WRITTEN.

D. PARA 3. C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS: FINAL VERSION OF CIVIC DISABILITIES BILL LIMITS DISQUALIFICATION FROM VOTING, HOLDING ELECTIVE OFFICE, ETC. TO LOCAL GOVERNMENT LEVEL, BUT DISQUALIFIES PERMANENTLY FROM HOLDING ANY JUDICIAL OR GOVERNMENT EMPLOYEE POSITION. SUGGEST LANGUAGE BE MODIFIED TO READ AS FOLLOWS:  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 COLOMB 04141 140300Z

"AN EXCEPTION TO THE GOOD SRI LANKAN RECORD OF FREE POLITICAL PARTICIPATION IS THE CIVIC DISABILITIES ACT OF AUGUST 11, 1978. ON THE GROUNDS THAT THEY HAD ABUSED THE PUBLIC TRUST UNDER THE FORMER GOVERNMENT, THE ACT DISQUALIFIES FOR SEVEN YEARS, 34 NAMED POLITICIANS AND FORMER GOVERNMENT OFFICIALS FROM VOTING IN LOCAL ELECTIONS OR FROM BEING NOMINATED AS CANDIDATES FOR, OR SITTING OR VOTING AS MEMBERS OF ANY LOCAL AUTHORITY. IF THE JUDGEMENT IS SUSTAINED, THEY WILL ALSO BE DISQUALIFIED FOR ALL TIME FROM APPOINTMENT TO ANY JUDICIAL OFFICE OR FROM BEING EMPLOYED AS A GOVERNMENT OFFICER AT NATIONAL LEVEL OR AS AN EMPLOYEE IN ANY LOCAL GOVERNMENT BODY. THERE WILL BE A REVIEW PROCESS AND THE DISQUALIFICATIONS PROBABLY WILL BE APPLIED ONLY TO THOSE PERSONS AGAINST WHOM THE EVIDENCE CLEARLY SUPPORTS THE CHARGES. END SUGGESTED CHANGES.  
WRIGGINS

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** HUMAN RIGHTS, POLICIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 13 sep 1978  
**Decaption Date:** 20 Mar 2014  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978COLOMB04141  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780373-0388  
**Format:** TEL  
**From:** COLOMBO  
**Handling Restrictions:**  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780973/aaaacihq.tel  
**Line Count:** 110  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** bbd5df51-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION NEA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** ONLY  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** ONLY  
**Reference:** 78 STATE 229936  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 06 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1457532  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** HUMAN RIGHTS PRACTICES IN SRI LANKA  
**TAGS:** SHUM, CE  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odhc://SAS/SAS.dbo.SAS\_Docs/bbd5df51-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014